

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

OLUYINKA I. AKEREDOLU,

Plaintiff,

vs.

EASTERN NEBRASKA VETERANS
HOME, et al.,

Defendants.

8:15-CV-130

ORDER

This matter is before the Court on the Magistrate Judge's Findings and Recommendation (filing 30) recommending that the defendants' motions to dismiss (filing 21; filing 24) be granted, and that all claims against defendant Dawnette B. Bredberg be dismissed for want of prosecution. The plaintiff has not objected to the Magistrate Judge's findings and recommendation, which expressly informed her that "failing to file an objection to this recommendation as provided in the local rules of this court may be held to be a waiver of any right to appeal the court's adoption of the recommendation." Filing 30 at 11.

28 U.S.C. § 636(b)(1) provides for de novo review only when a party objected to the magistrate's findings and recommendations. *Peretz v. United States*, 501 U.S. 923 (1991). The failure to file an objection eliminates not only the need for de novo review, but any review by the Court. *Thomas v. Arn*, 474 U.S. 140 (1985); *Leonard v. Dorsey & Whitney LLP*, 553 F.3d 609 (8th Cir. 2009). Accordingly, the Court will adopt the Magistrate Judge's findings and recommendation, grant the defendants' motions to dismiss, and dismiss the plaintiff's claims against Bredberg for want of prosecution.

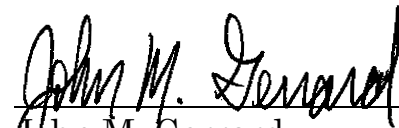
IT IS ORDERED:

1. The Magistrate Judge's Findings and Recommendation (filing 30) are adopted.
2. The defendants' motions to dismiss (filing 21; filing 24) are granted.

3. The plaintiff's claims against the moving defendants are dismissed.
4. The plaintiff's claims against Bredberg are dismissed for failure to prosecute.
5. The plaintiff's complaint is dismissed.
6. A separate judgment will be entered.

Dated this 28th day of September, 2016.

BY THE COURT:



John M. Gerrard
United States District Judge